

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/4/2025

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U.S. BANK NATIONAL ASSOCIATION as Trustee :
for the benefit of Holders of J.P. Morgan Chase :
Commercial Mortgage Securities Corp., Multifamily :
Mortgage Pass-Through Certificates, Series 2018- :
SB47, :

24-CV-3966 (VEC)

Plaintiff, :

-against- :

JOEEFI LLC, THE ESTATE OF JOSEPH :
GOLDBERGER, EVA GOLDBERGER, BLUE :
WHALE EAST 182ND LLC, SHONY & G CORP.; :
CITY OF NEW YORK DEPARTMENT OF :
ENVIRONMENTAL CONTROL; DEPARTMENT :
OF HOUSING PRESERVATION AND :
DEVELOPMENT; and “JOHN DOE #1” through :
“JOHN DOE #20,” the twenty names being fictitious :
and unknown to the Plaintiffs, the person or parties :
intended being the tenants, occupants, persons or :
corporations, if any, having or claiming an interest in :
lien upon the premises, :

Defendants. :

**ORDER ON PLAINTIFF’S
MOTIONS FOR
SUMMARY JUDGMENT,
DEFAULT JUDGMENT,
AND OTHER RELIEF**

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VALERIE CAPRONI, United States District Judge:

THIS MATTER is before the Court on the motion of plaintiff U.S. Bank National Association as Trustee for the benefit of Holders of J.P. Morgan Chase Commercial Mortgage Securities Corp., Multifamily Mortgage Pass-Through Certificates, Series 2018-SB47 (the “**Plaintiff**”), dated February 14, 2025, for an Order: (a) pursuant to Fed. R. Civ. P. 56, (i) granting summary judgment in favor of Plaintiff as against defendants JOEEFI LLC (“**Borrower**”), the Estate of Joseph Goldberger, and Eva Goldberger (“**Guarantors**”, along with JOEEFI LLC, the “**Borrower Parties**”), on the First, Second, and Third Counts of the Complaint; and (ii) striking

the Borrower Parties' Answer, dated September 10, 2024; (b) referring the calculation of the amount of the judgment of foreclosure and sale to a Magistrate Judge; (c) amending the caption and, pursuant to Fed. R. Civ. P. 55(b)(1), entering certain default judgments against certain non-answering defendants; and (d) awarding Plaintiff such other and further relief as this Court may deem just, proper and equitable (the "**Motion**"). Upon review of the Motion, as to which there was no opposition, and for good cause shown, it is hereby:

ORDERED, ADJUDGED, AND DECREED that Plaintiff's motion is GRANTED as stated in the Opinion and Order, dated April 4, 2025; and it is further

ORDERED, ADJUDGED, AND DECREED that Plaintiff is awarded summary judgment, pursuant to Fed. R. Civ. P. 56, against Borrower Parties as to the First, Second, and Third Counts of the Complaint; and it is further

ORDERED, ADJUDGED, AND DECREED that the Answer to Verified Amended Complaint by Borrower Parties be, and is hereby, stricken; and it is further

ORDERED, ADJUDGED, AND DECREED that judgment of default is hereby entered, pursuant to Fed. R. Civ. P. 55(b)(2), against Defendants Whale East 182nd LLC, Shony & G Corp., City of New York Department of Environmental Control, and Department of Housing Preservation and Development; and it is further

ORDERED, ADJUDGED, AND DECREED that the matter is referred to the Magistrate Judge for the computation of the amount due to Plaintiff under the Loan Documents (as defined in the Motion), and Plaintiff is directed promptly to supply the Magistrate Judge with a detailed calculation of the amount due, on notice to all Defendants; and it is further

ORDERED, ADJUDGED, AND DECREED that after the Magistrate Judge computes the amount due to Plaintiff and submits a report thereof (the "**Magistrate's Report**"), Plaintiff

shall promptly file a motion with the Court to approve the Magistrate's Report and for an entry of foreclosure judgment and sale; and it is further

ORDERED, ADJUDGED, AND DECREED that the caption of this action be amended by striking John Doe # 1 through John Doe # 20, all without prejudice to the proceedings heretofore had herein; and it is further

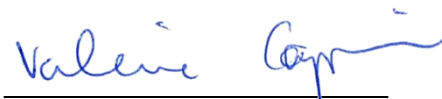
ORDERED, ADJUDGED, AND DECREED that the caption of this action, as amended, shall read as follows:

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SOUTHERN DISTRICT OF NEW YORK**

-----	X	
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Plaintiff,	:	
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JOEEFI LLC, THE ESTATE OF JOSEPH	:	
GOLDBERGER, EVA GOLDBERGER, BLUE	:	
WHALE EAST 182ND LLC, SHONY & G CORP.;	:	
CITY OF NEW YORK DEPARTMENT OF	:	
ENVIRONMENTAL CONTROL; and	:	
DEPARTMENT OF HOUSING PRESERVATION	:	
AND DEVELOPMENT,	:	
	:	
Defendants.	:	
	:	
-----	X	

SO ORDERED.

**Date: April 4, 2025
New York, New York**



VALERIE CAPRONI
United States District Judge